

REMARKS

Status of Claims:

Claim 1 is canceled without prejudice or disclaimer.

Claims 2-11, 14-17 and 20-23 are currently being amended.

Claims 24-26 are being added to further define the Applicant's invention.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 2-26 are now pending in this application.

Section 112 Rejections:

In the Office Action, claims 1-23 were rejected under 35 U.S.C. § 112, second paragraph and claim 3 was objected to. By way of the present amendments to the claims, both this rejection and the claim objection have been overcome. It is submitted that all of applicant's claims fully comply with the provisions of 35 U.S.C. § 112.

Prior Art Rejections:

Claims 1 and 8 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Schein et al. (U.S. Patent No. 6,412,110) in view of Linnett (U.S. Patent No. 6,388,665). Claims 2 and 9 stands rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Smith et al. (U.S. Patent No. 5,933,141) in view of Linnett. Claims 3, 4 and 7 stands rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Schein et al. in view of Smith et al. and Linnett. Claims 5, 6 and 10-23 stands rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Schein et al. in view of Smith et

al., Nason et al. (U.S. Patent No. 6,630,943) and Linnett. In view of the amendments to the claims and for at least the reasons set forth herein, these rejections under 35 U.S.C. § 103(a) have been overcome and should be reconsidered and withdrawn.

Applicant's remarks in the reply dated March 22, 2004, are applicable here and are incorporated herein by reference. The newly cited reference, Linnett, forms a basis for each of the outstanding prior art rejections and can be distinguished from the claimed invention as follows.

The present invention, as defined by the amended claims, involves a method, apparatus and software that can be operated in connection with existing (base) software in order to provide a more efficient and helpful experience to a novice or infrequent computer user. The claimed invention, referred to in some place herein as the overlay software, does not require any information to be passed from the base software. This avoids the need to modify the base software and the need to receive specific information from the base software, needs which often cannot be met in practice, thus allowing the invention to be more adaptable and useful to its users.

The claims have been amended where appropriate to make even more clear that the present invention is embodied in a method, apparatus and software that is external to and separated from the base software running on the computer. The claims have also been amended to make clear a feature of the invention involving the detection of a location of a specific GUI widget on a screen generated by the base software. This detection is performed without related information from the base software, by independently analyzing the screen itself to find the location of the desired GUI widget.

Neither Linnett, nor any of the other cited references disclose these features of the claimed invention. Linnett fails to disclose detecting a displayed position of the GUI widget to be operated next by analyzing the screen. Indeed, according to the teachings of Linnett, it would be necessary that the base

application have a function to provide the “external” application with information about the base application and its display elements.

The following disclosures in the reference support this conclusion: processing 94 in Fig. 9B (94) where the base application sends a request for a snippet to a speech balloon service, processing 107 in Fig. 10B (107) where the base application tells a tracking service of an event, and processing 116 in Fig. 11B (116) where the base application sends a command to actor services.

According to Linnett, the necessary information is obtained directly from the base application, and thus there is no need for detecting the GUI widget position by analyzing the displayed screen of the base application. It follows, of course, that Linnett has no such detection means. Also, according to the structure of Linnett, the base application must have such a function to output such information.

In contrast to Linnett, the present invention does not require that the base software application have such specific function. The overlay software of the present invention need not obtain such information directly from the base software application itself. Rather, the GUI widget displayed on the screen is detected by the overlay software by analyzing the screen displayed by the base software application.

In the present invention, functionality is achieved without limiting or changing the base software application. Linnett does not achieve such functionality. Neither does the combination of the other cited references with Linnett. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a).

Claim 1 has been cancelled without prejudice or disclaimer in favor of new claim 24. Also, new claims 25 and 26 have been added to further define the invention. These claims are believed to be allowable over the prior art of record for substantially the same reasons set forth above.

Acknowledgment of Priority Document:

The Examiner is also respectfully requested to acknowledge Applicant's claim for priority under 35 U.S.C. § 119 filed with the application on January 12, 2001.

Conclusion:

In view of the foregoing, the Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date OCTOBER 1, 2004



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